

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ralf M. Luche and BoWei  
Application No. : 09/608,062  
Filed : June 29, 2000  
For : DSP-3 DUAL-SPECIFICITY PHOSPHATASE  
Docket No. : 200125.408C1  
Date : September 1, 2000

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, DC 20231

DECLARATION

As the below-named inventors, we declare that:

Our residences, post office addresses, and citizenships are as stated below under our names.

We believe we are the original, first, and joint inventors of the invention entitled "DSP-3 DUAL-SPECIFICITY PHOSPHATASE," which is described and claimed in the specification and claims of Patent Application No. 09/608,062, which we filed in the United States Patent and Trademark Office on June 29, 2000, and for which a patent is sought.

We have reviewed and understand the contents of the above-entitled specification, including the claims, as amended by any amendment specifically referred to herein (if any).

We acknowledge our duty to disclose information of which we are aware which is material to the patentability and examination of this application in accordance with 37 C.F.R. § 1.56(a).

We further declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that the making of willfully false statements and the like is punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and may jeopardize the validity of any patent issuing from this patent application.

Ralf M. Luche

Date 10 - 13 - 00  
Residence : City of Seattle, County of King  
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Citizenship : Germany  
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Bo Wei

Bo Wei  
Date 10-13-00  
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ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73 AND POWER OF ATTORNEY

The undersigned, being Assignee of the entire interest in the above-identified application by virtue of an Assignment filed concurrently herewith, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

Assignee hereby appoints RICHARD W. SEED, Reg. No. 16,557; ROBERT J. BAYNHAM, Reg. No. 22,846; GEORGE C. RONDEAU, JR., Reg. No. 28,893; DAVID H. DEITS, Reg. No. 28,066; WILLIAM O. FERRON, JR., Reg. No. 30,633; DAVID J. MAKI, Reg. No. 31,392; RICHARD G. SHARKEY, Reg. No. 32,629; DAVID V. CARLSON, Reg. No. 31,153; KARL R. HERMANNS, Reg. No. 33,507; DAVID D. MCMASTERS, Reg. No. 33,963; MICHAEL J. DONOHUE, Reg. No. 35,859; JANE E. R. POTTER, Reg. No. 33,332; ROBERT IANNUCCI, Reg. No. 33,514; LORRAINE LINFORD, Reg. No. 35,939; DAVID W. PARKER, Reg. No. 37,414; ELLEN M. BIERMAN, Reg. No. 38,079; BRIAN G. BODINE, Reg. No. 40,520; ANN T. KADLECEK, Reg. No. 39,244; E. RUSSELL TARLETON, Reg. No. 31,800; KEVIN S. COSTANZA, Reg. No. 37,801; THOMAS E. LOOP, Reg. No. 42,810; STEPHEN J. ROSENMAN, Reg. No. 43,058; BRIAN L. JOHNSON, Reg. No. 40,033; SUSAN D. BETCHER, Reg. No. 43,498; WILLIAM T. CHRISTIANSEN, Reg. No. 44,614; GARY M. MYLES, Reg. No. 46,209; and ERIC J. GASH, Reg. No. 46,274; comprising the firm of Seed Intellectual Property Law Group PLLC, 701 Fifth Avenue, Suite 6300,

Seattle, Washington 98104-7092, as its attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. Please direct all telephone calls to Stephen J. Rosenman at (206) 622-4900 and telecopies to (206) 682-6031.

Please direct all communications to:

Stephen J. Rosenman, Esq.  
Seed Intellectual Property Law Group PLLC  
701 Fifth Avenue, Suite 6300  
Seattle, Washington 98104-7092

Pursuant to 37 C.F.R. § 3.73, the undersigned duly authorized designee of Assignee certifies that the evidentiary documents have been reviewed, specifically the Assignment to CEPTYR, Inc. filed concurrently herewith for recording, a copy of which is attached hereto, and certifies that to the best of my knowledge and belief, title remains in the name of the Assignee.

CEPTYR, Inc.  
ASSIGNEE

Oct 16, 2000  
DATE

Deborah E. Cool  
Deborah E. Cool, Ph.D.  
Vice President of Research

Enclosure:

Copy of Assignment

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